

SENATE

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males affected with glanders or farcy. The bill passed second reading on the adoption of the report.

Senator Fairchild submitted a report of the conference committee on House Bill No. 28, the merchandise license bill, but action on the report was deferred.

Laid On Table.

Senate Bill No. 79, providing for the appointment of bail commissioners, and Senate Bill No. 90, providing for a public administrator, were laid on the table upon the recommendation of Chairman Knudsen of the Judiciary Committee. Both measures were introduced by Coelho, and he took occasion to remark that the committees had deliberately kept the bill with the intention of killing them.

House Bill No. 223, relating to the taxation of real estate taken for public purposes, was passed on first reading.

The select committee of the Hawaii delegation reported unfavorably on House Bill No. 197, appropriating money to meet the claim of the Hilo Electric Light Company, Ltd.

"From investigations made by your committee," reads the report, "we find that the amount of the claim was contracted without the least color of authority and in violation of Section 4 of Act 10, Session Laws of 1903, and therefore recommend that the bill be laid upon the table."

The report was adopted. The Judiciary Committee reported unfavorably on House Bill No. 220, enlarging the powers of the circuit courts.

Chairman Knudsen pointed out that the real effect of the measure would be much more far-reaching than supposed by its introducer, Representative Furtado. He said that it would permit the District Magistrate of Hanalei, Kauai, to enforce the attendance of a witness from Hawaii in a \$1 civil suit.

Senator Knudsen submitted an amendment, limiting the exercise of the power on the part of district magistrates to approval by a judge of the Circuit Court. With the amendment inserted, the bill passed on second reading.

Amend Resolution.

A House resolution asking for the extension of Bishop street was taken up for consideration.

The resolution stated that it was in the interests of the public that Bishop street be opened and extended from Beretania avenue to the waterfront. The Senate amended the resolution to read "from Merchant street to the waterfront" and in that form it was adopted.

The Senate resolved itself into committee of the whole to take up the consideration of House Concurrent Resolution No. 21, memorializing Congress to amend the Organic Act and including the draft of a bill to cover the changes asked for.

The Senate Concurrent Resolution asking for changes in the land laws and extending the mainland system to the Territory, was also taken up in conjunction with the resolution from the House.

Following the reading of the House resolution Senator Smith asked if any member of the upper house had studied the provisions of the resolution. He said that it covered too many subjects to be taken up for serious consideration before being referred to a committee.

Makekau suggested that the resolution should be properly referred to the "holdover" committee with instructions that it "report to the next Legislature."

A compromise was finally reached for a select committee and when the committee of the whole rose, President Smith named Senators Chillingworth, Knudsen and McCarthy as members of the committee.

Notification was received from the House that it had failed to concur in the Senate amendments to House Concurrent Resolution No. 22, asking for the extension of Bishop street and President Smith named Senators McCarthy, Harvey and Chillingworth to represent the Senate on the conference committee.

House Joint Resolution No. 12, providing that the Superintendent of Public Works shall appoint a gas and electric inspector, passed first reading and was referred to the committee on military affairs.

The conference committee report on House Bill No. 38, the merchandise license bill, was adopted with one dissenting vote, that of Senator Makekau.

HOUSE

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of 500 practically worthless Hawaiian translations.

Rule Revision.

A resolution was introduced by Kaleiopi, calling for the Rules Committee to revise the laws of the House in a way they might think the Legislature of 1911 would like. Furtado failed to see what business this Legislature had with the next one and moved the tabling of the resolution. The Speaker explained the necessity of a revision, waved the Big Stick and passed the resolution over to the Rules Committee without a vote.

Alewa Roads Favored.

Kaleiopi presented another resolution, pointing out the desirability of having roads through the Alewa home-stand lots and recommending that the Superintendent of Public Works get busy on them. This was adopted.

The Public Land Committee also recommended the opening of new roads to the Honoumulehu, the Kaiwi, I. Homesteads and the Kahe home-stands, Island of Hawaii.

Too Late for Walkiki.

The same committee reported that there was no time for it to report on the Walkiki reclamation scheme and passed it up to the Legislature of 1911.

Shingle pressed for the third reading of House Bill 235, which he wanted passed in time for a first reading in the Senate. This bill is one relating to the taxes on property taken under

condemnation proceedings by the Federal, territorial or county government, making taxes payable only up to the date of the condemnation proceedings. He referred to the trouble that arose over the taxes on the Mahaka site as a reason why the bill should become law. It passed on third reading.

AFTERNOON SESSION.

The Senate returned the resolution to start the Bishop street extension at Beretania avenue and run it through to the waterfront, having amended the resolution to start the extension at Merchant street. The House did not agree, and a conference committee was named.

A Senate resolution instructing the Superintendent of Public Works not to build any wharf at Hanalei, Kauai, until the government got title to the foreshore was adopted.

Debate Over Meter Inspector.

There was a debate on the third reading of the House resolution that provides for a government inspector of gas and electric meters. Sheldon could not see the absurdity of the public having to depend upon meters which are tested only by the employees of the corporations who stand to win every time the consumer loses. Kaula has no meters to test, either, and consequently would share none in the benefit, this being a reason quite sufficient in his eyes why the Honolulu people could be robbed if the corporations choose to rob them.

Castro defended the measure, which finally passed, 18 to 7.

Public Utilities Commission.

The resolution to appoint a general public utility commission was attacked. Kawewehi, Kaleiopi and Sheldon going after it on the ground that Hawaii had too many commissions—silly, but presented by way of argument. Kaleiopi wanted to be sure of the constitutionality of the measure, and asked that it be referred to his committee. He did not state what tests the debate apply.

In this debate, the Speaker was arbitrary in his rulings against Castro and Alfonso, the sponsors for the resolutions. Everyone else was allowed to wander all over the lot so long as they opposed the commission, but to rise in opposition was to be gagged by the rules.

The resolution was lost. Cohen moved to reconsider the vote on the meter inspector resolution. Castro was ruled out of order when he wanted to speak for his own resolution, and the vote to reconsider carried.

Delinquent Tax Penalty.

A debate and scrap came over Senate Bill 117, which puts a penalty of 8 per cent. per annum and no more on delinquent taxes, and does away with the 10 per cent. penalty and 10 per cent. per annum interest now in force. Rice attacked the bill, pointing out that in times of financial stringency the corporations would rather pay the 8 per cent. than pay their taxes when due, the result being that the treasury would be bare. At the conclusion of his speech he moved the tabling of the bill.

"I protest against this business of one man trying to run this House," said Alfonso, jumping to his feet. "Here he makes all his arguments and then tries to shut us off."

"I have a perfect right to make a motion to table if I want to," retorted Rice.

"Yes, but it is not fair, and you know it," shouted Alfonso, waving a bunch of bills at him.

Two others of the Kaula delegation rose and shouted that the Hilo member was out of order.

The Speaker sternly bade Alfonso be good. The motion to table was lost.

Cohen supported the bill as something in the interests of the poor man, who was most likely to be delinquent. The taxes are high enough now, he said, without adding penalties.

Shingle pointed out how the bill would benefit the corporations and embarrass the government. Kaleiopi also saw no merit in the bill.

After one amendment from Shingle, to make the interest 10 per cent., had been lost, and one or two others killed, the main motion was put. The result was 15 to 11, the chair announcing that the bill had failed to pass.

Alfonso at once moved to reconsider the vote, one member having arrived in time to vote. The motion carried, and this time the bill passed, 15 to 11. This was enough to pass it.

Senate Sidestepped.

At this stage the chair announced that the Senate had adjourned before the resolution to christen one of Hilo breathing spots "Kealahewa Park" had reached it. This would prevent the resolution becoming law.

Castro asked what had become of the communication calling back the gas meter resolution. The Speaker announced that that resolution had not reached the Senate either.

This made Kaleiopi mad. "If that's the way they are going to do business, when they know we have matters here for them, I move that we also adjourn and let all these Senate bills die," he said.

"The chair refuses to take any notice of such a motion," said the Speaker, and Kaleiopi sank back squealed.

County Tax Bill.

The House went into committee of the whole on Senate Bill 129, which is to allow the counties to raise taxes of their own to the extent of a quarter of one per cent. Representative Kama took the chair.

As soon as the bill was read through, Correa moved that the committee rise and recommend that the bill be indefinitely postponed.

Sheldon moved that the report be that the bill pass second reading. Kama hammered his desk with the gavel and ordered the bill interpreted. This great ceremony was properly performed.

Walwaiole moved in amendment that the question of a tax levy must first be submitted to a plebiscite before being enforced.

Shingle asked that the motion to rise and indefinitely postpone the bill be put. Kama thought Walwaiole ought to be heard and so ruled, ordering Alfonso to sit down when he was raising a point of order.

Walwaiole also thought the motion

to rise should be put, but not for Kama.

"I have ruled the amendment in order," he said, hammering with the gavel.

Correa renewed his motion and Shingle seconded it, stating that the dying hours of the session was no time to consider a bill of this importance.

Kaleiopi—naturally—was for the bill for anything that would give the Supervisors more money to spend.

"Where's the money for the counties?" he asked.

Rice opposed the bill because it restricted the use of the money so raised.

"I hope we'll all see the day very soon when the counties will have full power to levy the tax," he said. "But this bill is not half a loaf."

The vote to recommend the indefinite postponement of the bill passed by a large majority on a show of hands.

Home Rule Resolution.

Afonso presented a concurrent resolution, along the lines of the one turned down by a vote of eight to seven in the Senate, stating that "there is a strong public sentiment favoring the appointment of residents of Hawaii to all executive and judicial positions in the Territory, whenever practicable," and providing for a notification to the President to that effect.

Several spoke in favor of the principle of the resolution, the only objection being that there had already been a House resolution passed on the subject. Castro raised the point that this had not been sent to Washington and the matter was deferred until today to allow the record of that House resolution to be looked up.

Primary Commission Tabled.

Castro presented a concurrent resolution asking the Governor to appoint a commission to draft a workable primary election bill. Some members saw censure for the Senate in the resolution and tabled it.

THE EX-VICE PRESIDENT MADE A FINE SPEECH

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past twenty years," he said, "and I can only address you in the oratory of the cane field, broken English, it may be called."

The Senator's broken English was very effectively spoken, however, as he dwelt upon the fact that Hawaii was advancing along true American lines and that the Hawaiians have already by their actions and performance justified the faith shown in them when they were granted the franchise and the right to elect their own people to the Legislatures.

The fact that Hawaii had ever since the coming of the early missionaries kept burning in these distant islands the lamp of American liberty, religion and political institutions was Hawaii's share towards the greatness of the United States, a share that balanced up the unequal advantages of the reciprocity treaty prior to annexation.

The speaker referred to the efforts being made in Hawaii to make the Territory more than a one crop land, efforts made not because of criticisms but because the people realized that Hawaii cannot achieve her greatest prosperity through one crop alone.

"It is generally recognized," he said in conclusion, "that two years from now the time will have come to make this an American Territory in fact as well as in name and with the county system on the same basis on the American mainland. Each district then will care for its own financial affairs. And, as for eighty years this Territory has conducted its government creditably to itself, it should now be allowed to develop along the lines of statehood."

Welcome from Hawaiians.

Representative Sheldon, on behalf of the Hawaiian members of the Legislature, spoke in welcome to Mr. Fairbanks and his party. He said:

"The honor has been conferred upon me to accord you, Mr. Fairbanks, a hearty welcome to our shores, or, as we Hawaiians are in the habit of saying, 'Aloha nui.'"

"We feel that we have been particularly fortunate in having seen a great and strong friend as yourself to help us."

"The first matter of importance here was the establishment of popular government; placing the voting strength of the Territory in the hands of the Hawaiian-Americans. This showed us that the American people had such confidence in us that they thought it safe to trust local affairs to us. You will find that this trust has not been abused, and that our disposition is still, as it has always been on the part of Hawaiians, to welcome the traveler in our midst."

"We of Hawaii nei have our problems to solve—problems which, to the men who guide the Nation's destiny, may seem insignificant, but to us they are real and serious."

"A little more than ten years have passed since these islands were adopted by the United States, but already many changes have been made which tend to bring our life, social as well as political, in harmony with conditions on the mainland. Our aim is, through our own endeavors and with the assistance of our great and experienced friends, to so hasten progress that Hawaii in due time may reach her ultimate political goal—Statehood."

"Being a Hawaiian-American myself, I can assure you, sir, that from the earliest civilization of the people of these islands, and right down through the changing periods of our government, a warm heart and a glad hand have always been extended to the people of the mainland."

"On behalf of the members of this House, and as a Representative elected by the people, I extend to you our most hearty welcome, and hope that your stay with us will be most enjoyable and beneficial to yourself and to the members of your family, feeling assured, as I do, that every one in Hawaii stands ready to do what he can to welcome you. Aloha."

Mr. Fairbanks' Reply.

At the conclusion of Mr. Sheldon's remarks Mr. Fairbanks arose and was greeted with applause. He spoke as follows:

"Mr. President, Mr. Speaker, Governor Frear, Senator Fairchild, Mr.

Sheldon, Members of the Legislature of Hawaii:

"I have not come for the purpose of making an extended address. I understand that you are now in the midst of the closing hours of a busy legislative session and that there still remains important work to be done. I have come, rather, to thank you for the hospitality you have extended to me and those who are with me. It is impossible for me to find words fit enough to express the full measure of our appreciation for what you have so generously done. To those gentlemen who have been pleased to give utterance to your welcome I wish to return special thanks for what they have so generously said."

"It is with a special pleasure that I meet the joint assembly of the Legislature of Hawaii. It is with particular pleasure I have come to visit the Hawaiian Islands, for I had some little part in the transaction which made Hawaii a part of the republic of the United States of America. I also had something to do with framing the organic law under which the Legislature that does me this honor was created."

"To the genius of statesmanship of one man above and beyond all others, we are indebted to the fact that we greet each other here today, citizens of a common country; I need not mention in this presence the name of William McKinley, President of the United States. We have produced many great men, and I say that because we are all now citizens of a great republic, and among those none stands higher in the respect and esteem of the men who owe allegiance to the flag of the republic than William McKinley, and I hope that in good time there may arise in these favored islands a monument commemorating the virtues of the far-sighted statesmanship of him who made the Hawaiian Islands a part of the territory of the greatest republic in this world."

"It is with particular pleasure I address myself to the members of a legislative assembly. For twelve years I had the great honor of being associated with the lawmakers of the United States. I know something of the responsibilities that rest upon the shoulders of a lawmaking body of territorial, state and national governments. Those who have preceded me have well said that you have your problems, different in some measure from the problems which concern other portions of our country. It is because of general problems, which concern 90,000,000 of people who constitute the population of the United States, that we have our state and territorial legislatures."

"While the problems are different, they are none the less difficult. Their solution is to be effected in the final analysis in all Territories, in all States in some manner, according to the principles of our Republican form of government. It is not always an easy matter for a legislator to see the way of his duty amidst the complicated and confusing questions which address themselves to consideration in a short legislative session. It is not possible for the members to always think and act aright, but if they exercise an honest and intelligent judgment, according to their lights, and commit their constituents will, in a tolerant frame of mind, forgive them."

"What should be demanded of a legislator always is that he exercise the best judgment that is within him, that he shall to the best of his ability and in the line of his highest duty, record his potential verdict."

Federal Reserved Rights.

"Under the Organic law which we enacted at Washington creating the form of government under which you act, we wisely provided for a legislature. There were some who thought that we were going too fast and too far, but subsequent events have indicated the wisdom of our action. We reserved to ourselves, Governor Frear, the right to annul your acts. ABOVE THE ACTION OF THE HAWAIIAN LEGISLATURE PRESIDES THE MAJESTY AND AUTHORITY OF THE CONGRESS OF THE UNITED STATES. The power we reserved to ourselves to set aside your legislative action is precisely the power that is reserved in the case of all our territories. BE IT SAID TO THE CREDIT AND HONOR OF THIS LEGISLATIVE BODY THERE HAS NEVER BEEN THE NECESSITY FOR CONGRESS TO WIPE OFF FROM YOUR STATUTE BOOKS ANY ACT WHICH YOU, IN YOUR WISDOM, HAVE SEEN FIT TO PLACE THERE. (Applause.)"

"I, from the first, had confidence that the legislative prerogative which we vested in the people of Hawaii was wisely vested. My opinion, since I have been upon this island and in the last few days, when I have had an opportunity to think (for Governor Frear has put me through such a lively pace), is more and more confirmed of the far-sighted wisdom of our action. President McKinley had faith in the people of Hawaii. Time has justified his faith. We are now all interested in a common destiny. What affects your welfare, affects the welfare of those of the mainland. We are in a measure interdependent, and our political fortunes are one. We are interwoven in the loom of the Divine Providence. Your honor is our honor. We look upon your development with a friendly interest."

"One of the distinguished speakers who preceded me welcomed me as a 'stranger within your gates.' That is figurative. I come not really as a stranger, for under American institutions I am a member of your household, and if we tarry too long in the islands I am afraid I shall lose some members of my household. (Laughter and applause.)"

"I never go into a place where the laws of the people are made that I do not, figuratively speaking, come with uncovered head. The fountain of the people's laws should be as pure as the aspirations and hopes of the people themselves. It is no place for self-interest. Here the people's interests alone should be supported. Our fathers, in ordaining Republican institutions, wisely provided for a distribution of powers into three coordinate departments. It is difficult to differentiate between the three and not attribute more power to one than to the other. Each is essential in our political scheme."

Knows Hawaiian History.

"I have studied the history of Hawaii, dating the ten years of your dwelling under the protection of the American flag, with very great interest. I have observed since I have been here that the people, in the exercise of their sovereign power, have chosen wisely with respect to those who shall make the laws. I have observed in the executive department broadminded statesmanship. I cannot forbear to express my gratification at being able to meet here your chief executive, Walter F. Frear, Governor."

"It is important as we progress, not only that we shall have an intelligent and wise legislature, an able and forceful executive, but it is in the highest degree essential that the judicial department of all forms under our government, national, state and territorial, should command the popular confidence. I am pleased to be assured that the laws are fairly interpreted and that justice is administered with fidelity to the law by your judicial officers of all grades. It means much to your future progress to be recognized as a wise lawmaking and abiding community."

"The Hawaiian Islands rest in their majesty and beauty upon the bosom of the great Pacific. My good friend Senator Fairchild suggested that he hoped in visiting a neighboring island (and I take it he must be a senator from that island) I would long remember my visit because of the sweet fragrance of the roses, as Mark Twain said. I shall remember it, as I shall remember all the islands by the sweet fragrance of their flowers, but above all that by the inexpressible sweet fragrance of the hospitality of the people. (Applause.)"

In Closing.

"I find that I am elaborating a mere word of courtesy into a speech. I do not know why it should be so. I know there are some on the mainland who, when they get a chance to talk in legislative halls, lose all thought of the flight of time. I want, my friends, in conclusion, to thank you for your unbounded hospitality. I know not whether good fortune shall bring me here again. I hope it may. Wherever I may go I shall carry with me a recollection of this historic meeting."

"I hope that all good may come to the people of Hawaii and that their most optimistic dreams may be realized. I find here upon every hand a pride in your Territory. It is the home of your birth, the home of your mature manhood. And here the ashes of those whom you love will rest forever. It is a splendid thing to owe allegiance to any State or Territory in our Federal system. Proud as you are of being Hawaiians, I am gratified to know you are prouder still

LARGE CHECK FOR TERRITORY

There is a check for \$12,295 in the way from San Francisco that will be a very welcome addition to the Territorial treasury. The check is from the United States Fidelity and Guaranty Company, and is in settlement of the judgment secured by the Territory in its suit brought against Cotton Brothers and Company for the value of a dredge boat that was lost at Pearl Harbor in November, 1902. The surety company went on the bond of Cotton Brothers and Company for the sum of \$25,000 on their appeal to the Territorial Supreme Court. The \$12,295 additional which is being paid to the Territory is money which the surety company was not forced to pay, but which they agreed to contribute as a desire to settle the case to the full satisfaction of Attorney General Hemenway.

Territory Sustained.

The dredge boat was rented from the Territorial Government by Cotton Brothers and Company, and when the dredge was capsized at Pearl Harbor in a southerly storm, the company based their defense on the fact that the accident was not due to their negligence. A suit for \$25,000 damages was brought against the company in May, 1903. Judgment was rendered in favor of the Territory and the case then went to the Territorial Supreme Court three times on different phases of the case, the judgment of the lower court being sustained in each instance. In October, 1905, the case was taken to the Supreme Court of the United States on a writ of error, and Attorney General Hemenway argued the case at Washington. The result was that the Territory's contentions were sustained in every particular, and by reason of the wish of the United States Fidelity and Guaranty Company to meet its obligation in a prompt and businesslike way, the check for the sum of \$12,295 is now on the way from the offices of the company in San Francisco, to be turned over to the Territorial Government by the Waterhouse Trust Company, the local agents.

The suit was instituted when E. C. Peters was Attorney General, and the firm of Kinney, McManahan & Cooper assisted in the defense.

UNCLAIMED LETTER LIST

List of letters remaining unclaimed for in the general delivery for the week ending April 24, 1907:

Alexander, Mr. and Kelly, H.D.	Mrs. F. A. King, Annie S.
Aldrich, Robert B. Klotz, A. W.	Andrecht, Mrs. Flora Younisson, Mrs. T.M.
Anderson, Christian Love, C. J. C.	Barnard, Miss M. D. Lund, Mrs. Minnie
Baker, John T.	McEachern, Joe
Bannister, Mrs. Dan Miller J. A. (3)	Bishop, R. F.
Bishop, Miss Ethel	Mattie, Miss Lulu L.
Bishop, Miss Ethel	Moss, Mr.
Breesley, Miss H. J.	Muller, Waldamon
Chamberlain, Harry Nelson, W. H.	Clanahan, Charlie E. Nelson, C.
Correll, Mrs. J. B.	O'Hearl, Capt.
Cockett, Martin	Parish, E.
Thomas	Peterson, Private
Conant, Mrs. J. B.	Axel E.
Curry, James	Phillips, Miss Annie
Cumming, Miss Emma	Punpoo Tennis Club
Deaker, Miss Annie (2)	Raymond, Fred
Dodge, Harry M.	Ranger, Miss
Duncan, Mrs. Edmunds R. W. (3)	Richardson, Mrs. George J.
Ellis, W. A.	Richardson, Miss Alice
Fee, Allen	Robertson, Mrs. Geo. Jr.
Forbes, W. S.	Rutledge, W. I.
Fountain, Miss A. M.	Schupp, Miss
Goring, Philip M.	Sharden, Mr.
George, Henry, Jr.	Smith, Mrs. Lucy
Gibb, Mrs. C.	Tinkler, Chas.
Hatch, Capt. E. T.	Wessel, Henry
Hene, Mr.	Wood, Jesse
Hughes, Mrs. C. W.	Young, Mrs. Nellie
Jamieson, Miss M. C.	Yowell, Mrs. Sarah
Johnson, Kalani-laulau	Yowell, Mrs. W. S.
	McWilliams

Please ask for advertised letters. JOSEPH G. PRATT, Postmaster.

FAIRBANKS TO KAUAI ON TENDER KUKUI

Hon. Charles W. Fairbanks and Mrs. Fairbanks, Mrs. Timmons and W. A. Kinney were passengers aboard the United States lighthouse tender Kukui last night for a trip to Kauai, the vessel being taken out at midnight by Captain Johnson with Lieut. Houston, U.S.N., of the lighthouse service, in charge. Mr. Kinney accompanies the Fairbanks party as guide and philosopher.

The steamer will arrive at Nawiliwili this morning where breakfast will be had and the party will then cross the island to Hanalei in auto, where they will be met again by the Kukui and taken around the island past the Napali district. The Kukui will return with her guests tomorrow morning.

that you are citizens of the republic of the United States." (Applause.)

Proud Day for the Legislature.

The last speaker, Speaker Holstein, stated that it was a proud day for the Legislature of Hawaii to be able to welcome so distinguished a guest as the ex-Vice President of the United States. "No member of this House ever expects to see on this rostrum, where monarchs have sat, as distinguished a citizen of our common country as you, sir," he said, and concluded by praying that God might be with Mr. Fairbanks wherever he might journey.

Following the reception, Mr. Fairbanks shook hands with the members, while many of them were presented to Mrs. Fairbanks, who took an interest in the various historical portraits in the old throne room and who was escorted from one to another by various Hawaiian members, listening to their explanations.